

**ROLES and RESPONSIBILITIES for ENGINEERING TECHNICAL ASSISTANCE to USDA
PROGRAM PARTICIPANTS (SOURCE 3)
TECHNICAL SERVICE PROVIDER using TECHNICAL ASSISTANCE FUNDS in
USDA PROGRAM CONTRACT**

USDA Program Participant hires a certified Technical Service Provider (TSP) engineer and pays the engineer using Technical Assistance funds (Not To Exceed rates) in their USDA Program contract [also known as Participant Selection Process]

Rule: Final Rule, Technical Service Provider Assistance, 7 CFR Part 652, November 29, 2004

USDA Farm Bill Program Participant Responsibilities

1. Allow access to the site by NRCS and TSP staff.
2. Provide backhoe for performance of any subsurface investigations needed to complete the design.
3. Recognize that only one design will be provided. That design will be based on the size and location information for the practice included in the Conservation Plan, Comprehensive Nutrient Management Plan, Wetlands Reserve Plan of Operations, or other document upon which the USDA program contract was based. These plans reflect decisions made by the USDA Program Participant. Any changes made during design that are not caused by unforeseen factors discovered during design investigations will NOT be considered by the TSP engineer.
4. Accept full responsibility to negotiate and reach agreement on cost and terms of assistance with TSP engineer.
5. Accept full responsibility for payment to the TSP engineer. Accept full responsibility for any TSP engineer costs that exceed the NTE rate in the USDA Program contract.
6. Agree that construction will not begin until the TSP engineer approves final design/construction drawings.
7. Obtain and comply with all permits.
8. Hire a construction contractor to install the practice(s) in accordance with the approved construction drawings and specifications.
9. Provide anticipated construction dates to the TSP engineer.
10. Participate in the pre-construction meeting with the TSP engineer and construction contractor.
11. Provide to the servicing NRCS office the "As Built" drawings, a copy of the applicable documentation required in the practice standard(s), a copy of the construction documentation required in the inspection (quality assurance) plan, and the TechReg Authorization Number.
12. Ensure corrective measures are taken if deficiencies are noted during quality reviews performed by NRCS.
13. Sign block 27 "Certification by Participant" on the CCC-1245, Practice Approval & Payment Application form.
14. Follow the operation and maintenance plan for the practice(s) included in the construction drawings.

TSP Engineer Responsibilities (must be a certified TSP through TechReg)

DESIGN

1. Conduct surveys and investigations necessary to develop the design and construction drawings.
2. Prepare the design in accordance with NRCS standards and specifications.
3. Include Professional Engineer signature and seal on all sheets of the construction drawings and cover sheet of specifications.
4. Include the following statement on the cover sheet of construction drawings along with a list of the applicable NRCS standards:

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To the best of my professional knowledge, judgment and belief, the design, construction drawings and specifications meet applicable NRCS standards and specifications.

Iman Engineer, P.E. _____ *Date* _____

5. Develop an engineer's "opinion of probable cost" for the project.
6. Develop an operation and maintenance plan for the practice(s) included in the construction drawings.
7. Prepare an inspection (quality assurance) plan describing the inspection items, documentation requirements, and the qualifications required of those doing the inspection.
8. Provide technical information needed by the USDA Program Participant to acquire practice-related permits.

CONSTRUCTION and CHECKOUT

1. Conduct pre-construction meeting with USDA Program Participant and construction contractor.
2. Perform construction inspection (quality assurance) duties including layout survey, maintenance of construction documentation, approval of changes during construction, and checkout survey.
3. Report and certify completion of the practice(s) in TechReg and receive Authorization Number from TechReg.
4. Prepare and submit to the USDA Program Participant "As Built" drawings, a copy of the applicable documentation required in the practice standard(s), a copy of the construction documentation required in the inspection (quality assurance) plan, and the TechReg Authorization Number. Include the following warranty either on the cover sheet of the "As Built" drawings or in a letter attached to the "As Built" drawings:

To the best of my professional knowledge, judgment and belief, these practices are installed in accordance with the construction drawings and specifications and meet NRCS standards. The technical services rendered: (1) comply with all applicable Federal, State, Tribal, and local laws and requirements, (2) meet applicable USDA standards, specifications, and program requirements, (3) are consistent with and meet the particular conservation program goals and objectives for which the program agreement or contract was entered into by the program participant or USDA, respectively, and (4) incorporate, where appropriate, low-cost alternatives that address the resource issues.

Iman Engineer, P.E. _____ *Date* _____

5. Work with the USDA Program Participant to ensure corrective measures are taken if deficiencies are noted during quality reviews performed by NRCS.
6. Sign block 16 "Technician's Signature" on the CCC-1245, Practice Approval & Payment Application form.

NRCS Responsibilities

Field Office

1. Review this fact sheet with the USDA Program Participant.
2. Provide to the USDA Program Participant copies of any existing case file records relevant to the engineering technical assistance being provided by the TSP engineer.
3. **Refrain from any interference with the TSP engineer. NRCS will NOT review or**

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participate in the surveys, investigations, design, construction drawings, layout, construction inspection, checkout, or certification.

- 4. Recognize that NRCS only has a contractual relationship with the USDA Program Participant. Therefore, NRCS will NOT in any way direct the work of the TSP engineer.**
5. Provide to the USDA Program Participant interpretative information related to the Conservation Plan, Comprehensive Nutrient Management Plan, Wetlands Reserve Plan of Operations, or other document upon which the USDA Program contract was based only in the situations where NRCS developed the plan.
6. Certify installation for USDA Farm Bill program cost share after TSP engineer certifies in tracking system. Sign block 25 "Payment Approved" on the CCC-1245, Practice Approval & Payment Application form **after** TSP engineer signs block 16 "Technician's Signature."

Field Office or Area Office Responsibilities

1. Provide the USDA Program Participant and/or TSP engineer access to copies of NRCS standards, specifications, standard drawings, software and other design aids used by NRCS. Costs for reproduction of these materials are the responsibility of person making the request.
2. Conduct quality reviews, as appropriate, of the technical services provided by the TSP engineer **after** the services are reported and all documentation is received from the USDA Program Participant.